GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Revenue Department – Initiation of Disciplinary Proceedings against Sri R.Pothu Raju, the then Tahsildar, NH, O/o Revenue Divisional Officer, Eluru and now retired under Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991 read with Rule 9 of AP Revised Pension Rules, 1980 – Articles of charges - Issued.

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REVENUE (VIGILANCE.I) DEPARTMENT

G.O.Rt.No.417 **Dated.16.04.2020**

G.O.Ms.No.112, Revenue(Vigilance-I) Department, Dt:16-04-2020

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O R D E R:

In pursuance of the sanction accorded under sub-clause (i) of clause (b) of sub-rule (2) of Rule 9 of the Revised Pension Rules, 1980 for instituting departmental proceedings against Sri R.Pothu Raju, the then Tahsildar, NH, O/o Revenue Divisional Officer, Eluru and now retired vide G.O read above, it is proposed to hold an enquiry against Sri R.Pothu Raju, the then Tahsildar, NH, O/o Revenue Divisional Officer, Eluru and now retired in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control and Appeal) Rules, 1991.

2. The substance of the imputations of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is set out in the enclosed statement of articles of charges (Annexure-I). A statement of imputations of misconduct / misbehaviour is enclosed (Annexure-II). A list of documents by which, and a list of witnesses by whom, the articles of charges proposed to be sustained are also enclosed (Annexure-III &IV).

3. Sri R.Pothu Raju, the then Tahsildar, NH, O/o Revenue Divisional Officer, Eluru and now retired is directed to submit within 10 days from the date of receipt of this order, a written statement of his defence.

4. Sri R.Pothu Raju, the then Tahsildar, NH, O/o Revenue Divisional Officer, Eluru and now retired is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

5. Sri R.Pothu Raju, the then Tahsildar, NH, O/o Revenue Divisional Officer, Eluru and now retired is further informed that if she does not submit his written statement of defence on or before the date specified in para 3 above further action will be processed based on the material available.

6. Attention of Sri R.Pothu Raju, the then Tahsildar, NH, O/o Revenue Divisional Officer, Eluru and now retired is invited to Rule 24 of the Andhra Pradesh Civil Services (conduct) Rules, 1964, under which no Government Servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interest in respect of matters pertaining to his service under the Government. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings it will be presumed that Sri R.Pothu Raju, the then Tahsildar, NH, O/o Revenue Divisional Officer, Eluru and now retired is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri R.Pothu Raju, the then Tahsildar, NH, O/o Revenue Divisional Officer, Eluru and now retired through the Chief Commissioner of Land Administration, A.P.,Vijayawada.

Copy to:

The Chief Commissioner of Land Administration, A.P., Vijayawada. (with a request to furnish served copy of this G.O.).
The District Collector, West Godavari
S.F./ S.C.

// FORWARDED BY ORDER //

SECTION OFFICER

ANNEXURE – I

STATEMENT OF ARTICLES OF CHARGE FRAMED AGAINST SRI R.POTHU RAJU, THE THEN TAHSILDAR, NH, O/o REVENUE DIVISIONAL OFFICER, ELURU AND NOW RETIRED

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Articles of Charge - I:

That Sri R.Pothu raju, the then Tahsildar, NH, O/o Revenue Divisional Officer, Eluru and now retired, being a responsible public servant has committed gross misconduct in a much as he has recommended ineligible/ irregular compensation paid to Sri Menni Rama Satya Vara Prasad for an amount of Rs. 94,43,454/- for 1510 sqm of land acquired and structure (Godown/Shed) in RS No 1070/ 1B in Nallajerla Mandal and incorporated non existing structure (Godown/Shed) in the things attached to the land without its existing on ground as on date of Preliminary Notification and he was considering the category of land as non layout non agricultural land instead of agricultural land, in violation of the norms and causing undue benefit to the land owner, leading to huge loss to the Government and derogatory to the prestige of the Government and to the District Administration.

Articles of Charge - II:

That Sri R.Pothu raju, the then Tahsildar,NH, O/o Revenue Divisional Officer, Eluru and now retired, being a responsible public servant, has committed grave misconduct in as much as he has recommended ineligible /irregular compensation paid to Sri Alluri Gangadhara Rao, R/o Marellamudi (V) of Nallajerla (M) for an amount of Rs. 6,19,434/- for an extent of land acquired 202 sqm and cattle shed in RS No. 6/5B of Marellamudi Village and has incorporated non existing structure (Cattle shed) attached to the land without its existence on ground and he was considering the land as Commercial house site category instead of agricultural land, in violation of the norms and causing undue benefit to the land owner, which leading to huge loss to the Government and derogatory to the prestige of the Government and to the District Administration.

He, being a public servant ought to have maintained absolute integrity, discipline and impartiality in discharging legitimate duties, but failed to do so, which is unbecoming and derogatory to the prestige of the Government. The irregularities committed by the individual leads to unwanted litigations between the Government and private persons.

Thus, Sri R.Pothu Raju, retired Tahsildar, NH, O/o Revenue Divisional Officer, Eluru and now retired by his above mentioned acts has exhibited lack of integrity, devotion to duty and conduct unbecoming of a Government servant and thereby contravened Rule 3 of A.P.C.S.(Conduct) Rules, 1964.

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER //

SECTION OFFICER

ANNEXURE — II

STATEMENT OF IMPUTATIONS OF MISCONDUCT OR MISBEHAVIOUR IN SUPPORT OF THE ARTICLES OF CHARGE FRAMED AGAINST SRI R.POTHU RAJU, THE THEN TAHSILDAR,NH, O/o REVENUE DIVISIONAL OFFICER, ELURU AND NOW RETIRED

The GA (V&E) Department have enquired into the allegations of irregularities in in payment of excess compensation in Land Acquisition for widening of NH-16 in West Godavari District and furnished Vigilance Report No.1, dated:2.1.2019, with the following findings among others:-

1. The Competent Authority (Land Acquisition) NHAI 16(5)acquired lands for widening/ extending of 4 lane to 6 lane from Rajahmundry-Gundugolanu Section of NH-16 from Km 15.700 to Km 50.500 of (EGK S.H.102) on requisition from the Project Director, National High Way Authority, Project Implementing Unit, Rajahmundry.

2. As a part of land acquisition - Certain lands were acquired in Nallajerla Village and Land Acquisition Award passed vide Award No.15/2017/N.R.16(EGK-S.H.107) Dt.25-04-2017, wherein land extent of 1510 sqm was acquired from Sri Menni Rama Satya Vara Prasad, S/o (Late) Subba Rao in RS No. 1070/1B in Nallajerla Village.

3. The then Tahsildar made undue benefit to the land owner by recommending the land Market value @ 1794/sqm instead of eligible Rs. 371/ sqm and also paid compensation for the shed/ godown which does not exists as on the day of preliminary notification (i.e., 09-09-2016) for which the land Owner is not eligible.

4. Further from the facts and evidences, it is established that the then Tahsildar incorporated a cattle shed in the land: extent 202 sqm in RS No.6/5B acquired even though the cattle shed had not fallen in the acquired land on ground and paid compensation for the same which was valued for Rs.77,779/- and also considered the land in non agriculture category and paid compensation fixing market value @ 1397/sqm as against eligible market value @ 371/sqm thereby giving undue financial advantage to the land owner to a tune of Rs.6,19,434/- which is a loss to govt. exchequer.

5. The then Tahsildar failed to follow the prescribed procedure as stipulated in the Memo No.55284-D/ /LA (A2/99 of Te Revenue (LA) Department, Dt.16-06-2000 which stipulated Joint inspections Joint inspection Of the lands, structures trees, videography of the structures trees etc existing on the lands under acquisition to obviate undue claims for compensation and also to build-up authentic and irrefutable record of such structures, trees etc. Instead resorted to non transparent way of survey procedures and paid ineligible /excess payments.

Thus, the Government servant has therefore rendered himself liable for disciplinary action for major penalty.

Hence the charge.

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER //

SECTION OFFICER

ANNEXURE — III

LIST OF DOCUMENTS BY WHICH THE ARTICLES OF CHARGE FRAMED AGAINST SRI R.POTHU RAJU, THE THEN TAHSILDAR,NH, O/o REVENUE DIVISIONAL OFFICER, ELURU AND NOW RETIRED **ARE PROPOSED TO BE SUSTAINED**

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Vigilance Report No. 01(C.No.744/V&E/D1/2018), dt: 02.01.2019.

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER //

SECTION OFFICER

ANNEXURE — III

LIST OF WITNESSES BY WHOM THE ARTICLES OF CHARGE FRAMED AGAINST SRI R.POTHU RAJU, THE THEN TAHSILDAR,NH, O/o REVENUE DIVISIONAL OFFICER, ELURU AND NOW RETIRED **ARE PROPOSED TO BE SUSTAINED**

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- NIL -

V.USHARANI
PRINCIPAL SECRETARY TO GOVERNMENT

// FORWARDED BY ORDER //

SECTION OFFICER